

REMARKS

The present application has been reviewed in light of the Office Action dated October 28, 2003. Claims 1, 2, 8, 10-16, 22, 24-30, 36, and 38-40 are presented for examination and have been amended as to formal matters and/or to define Applicant's invention more clearly. Claims 1, 15, and 29 are in independent form. Favorable reconsideration is requested.

The Office Action states that Claims 1, 2, 8, 10, 11, 13-16, 22, 24, 25, 27-30, 36, and 38-40 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,999,932 (Paul); and that Claims 12 and 26 are rejected under § 103(a) as being unpatentable over Paul. Applicant respectfully traverses the rejections and submits that independent Claims 1, 15, and 29, together with the claims dependent therefrom, are patentably distinct from Paul for at least the following reasons.

An aspect of the present invention set forth in Claim 1 is directed to an e-mail processing method. According to the method, a data type of each part included in a received multi-part e-mail is identified; in accordance with the identified data type of each part, a determination is made as to whether each part included in the received multi-part e-mail can be processed; if it is determined that a part can be processed, the part that can be processed is stored; and, if it is determined that a part cannot be processed, the part that cannot be processed is deleted.

One of the notable features of Claim 1 is that the method stores or deletes a part of a multi-part e-mail in accordance with a data type of the part. By virtue of this feature, a storage unit for storing received e-mail may be efficiently utilized, because the storage unit stores the

parts of the e-mail that can be processed whereas the parts of the e-mail that cannot be processed are deleted. That is, the storage unit does not unnecessarily store an unprocessable part of an e-mail.

Paul relates to a system for filtering unsolicited e-mail messages by using an inclusion list. As understood by Applicant, the system determines a status of a message to be OK, NEW, or JUNK by comparing selected field data with data from the inclusion list, and by performing heuristic processing.

Nothing has been found in Paul that is believed to teach or suggest an e-mail processing method that includes "identifying a data type of each part included in a received e-mail, the received e-mail being a multi-part e-mail," and "determining whether each part included in the received e-mail can be processed, in accordance with the identified data type of each part," and "storing a part that can be processed, included in the received e-mail, if it is determined in said determining step that the part can be processed," and "deleting a part that cannot be processed, included in the received e-mail, if it is determined in said determining step that the part cannot be processed," as recited in Claim 1.

Paul is understood to determine a status of an e-mail message *in its entirety*. As discussed above, the Paul system determines whether a message is OK, NEW, or JUNK by comparing selected field data with data in an inclusion list, and by performing heuristic processing. Such heuristic processing is not understood to include determining whether the message may be processed, and thus is not understood to include determining whether a part of the message may be processed. Therefore, one of ordinary skill in the relevant art would find no

suggestion to modify the Paul system to determine whether *each part* of multi-part e-mail can be processed and, based on the determination, to store *a part* that can be processed, and to delete *a part* that cannot be processed.

Accordingly, Applicant submits that Claim 1 is not anticipated by Paul and respectfully requests withdrawal of the rejection under 35 U.S.C. § 102(e). Independent Claims 15 and 29 include a feature similar to that discussed above, in which a processable part of a multi-part e-mail is stored and an unprocessable part of the multi-part e-mail is deleted. Therefore, those claims also are believed to be patentable for at least the above reasons. Further, the other rejected claims in this application depend from one or another of the independent claims discussed above, and therefore are submitted to be patentable for at least the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

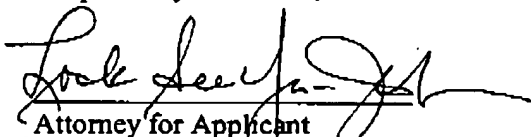
In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

No petition to extend the time for response to the Office Action is deemed necessary for the present Amendment. If, however, such a petition is required to make this Amendment timely filed, then this paper should be considered such a petition and the Commissioner is authorized to charge the requisite petition fee to Deposit Account 06-1205.

CONCLUSION

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

  
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